

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

GOLDMAN & BESLOW, LLC
Attorneys at Law
7 Glenwood Avenue, Suite 311B
East Orange, NJ 07017
(973) 677-9000
David G. Beslow, Esq. #DGB-5300
Attorneys for Debtor(s)

In Re:

THERESE CELESTE EDWARDS
JOSEPH WILLIAM NITTOSO,
Debtors

Case No.: 17-35590

Judge: VFP

Chapter: 13

CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION

The debtor in this case opposes the following (**choose one**):

1. ☐ Motion for Relief from the Automatic Stay filed by _____, creditor,

A hearing has been scheduled for _____, at _____.

- ☐ Motion to Dismiss filed by the Chapter 13 Trustee.

A hearing has been scheduled for _____, at _____.

- ☒ Certification of Default filed by M&T Bank,

I am requesting a hearing be scheduled on this matter.

2. I oppose the above matter for the following reasons (**choose one**):

- ☐ Payments have been made in the amount of \$ _____, but have not been accounted for. Documentation in support is attached.

☐ Payments have not been made for the following reasons and debtor proposes repayment as follows (**explain your answer**):

☒ Other (**explain your answer**):

I had received an escrow account shortfall notice and believed my new mortgage payment for 2019 was going to be \$2,523.24 instead of \$2,958.84. I also made an additional payment of \$5,046.48 on October 31, 2019 (see attached) which is not reflected in the creditor's certification. I will make the November 2019 payment and any other go-forward payments at the \$2,958.84 amount. I will +

3. This certification is being made in an effort to resolve the issues raised in the certification of default or motion.
4. I certify under penalty of perjury that the above is true.

Date: 11/14/2019

/s/ Therese Celeste Edwards
Debtor's Signature

Date: _____

Debtor's Signature

NOTES:

1. Under D.N.J. LBR 4001-1(b)(1), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 7 days before the date of the hearing if filed in opposition to a Motion for Relief from the Automatic Stay or Chapter 13 Trustee's Motion to Dismiss.
2. Under D.N.J. 4001-1 (b)(2), this form must be filed with the court and served on the Chapter 13 Trustee and creditor, if applicable not later than 14 days after the filing of a Certification of Default.

Actors Federal Credit Union
165 West 46th Street
New York NY 10036-2508

A C H A C C O U N T O D P N O T I C E

THERE WERE INSUFFICIENT FUNDS AVAILABLE WHEN THE ITEM(S) APPEARING BELOW WAS PRESENTED, THEREFORE IT WAS PAID USING YOUR OVERDRAFT PRIVILEGE. PLEASE MAKE A DEPOSIT SUFFICIENT TO COVER YOUR NEGATIVE BALANCE WITHIN THE NEXT TEN DAYS.

ADDITIONAL INFORMATION AT: TELEPHONE: 212 869-8926

DATE OF NOTICE: 04NOV19 ACCOUNT NUMBER

DATE PROCESSED	TRANSACTION AMOUNT	AVAILABLE BALANCE	TRACE NUMBER	CHARGE/FEE AMOUNT
04NOV19	5046.48-	4889.98	022000048374697	27.00
COMPANY: M&T BANK		MORT PYMT		

JOSEPH W NITTOSO
110 LEXINGTON AVENUE
BLOOMFIELD NJ 07003